

Appl. No. 10/770,926
Amdt. dated October 25, 2005
Reply to Office Action of July 26, 2005

Amendments to the Drawings:

As required by the Official Action, included in the amendment are an "Annotated Sheet Showing Changes" and a "Replacement Sheet" for Fig. 2. In Fig. 2 the reference numeral "22" has been added for the spring which biases reel 21 as described at page 5, line 17 of the specification.

Remarks

The present amendment responds to the final Official Action dated July 26, 2005. The Official Action rejected claims 1, 2 and 4 under 35 U.S.C. 102(b) based on Bogdahn U.S. Patent No. 6,148,773. Claim 6 was rejected under 35 U.S.C. 103(a) over Bogdahn in view of Boughton et al. U.S. Patent No. 6,619,313 (Boughton). Claims 7-9 were rejected under 35 U.S.C. 103(a) over Bogdahn in view of Vaccari U.S. Patent Publication No. 2003/0145804 (Vaccari). Claims 10, 11, and 13 were rejected under 35 U.S.C. 103(a) over Vaccari in view of Gilman U.S. Patent No. 1,826,65 (Gilman). Claim 12 was rejected under 35 U.S.C. 103(a) over Vaccari in view of Gilman in further view of Boughton. Claims 14 and 15 were rejected under 35 U.S.C. 102(a) as anticipated by Boughton. Claims 1, 2, 4 and 6-9 were rejected under 35 U.S.C. 112, second paragraph, as indefinite. The drawings were objected to as not showing reference numeral "22". Claims 16-20 were indicated to allowable. The grounds of rejection are addressed below following an Interview Summary and a brief discussion of the invention of claims 1-9 to provide context. Claim 1 has been amended to be more clear and distinct after discussion with the Examiner. Claim 2 has been amended as upon review it appeared "release direction" and "retract direction" had antecedent basis in claim 1. Claims 10-15 have been canceled without prejudice. Claims 1, 2, 4, 6-9 and 16-20 are presently pending and believed to be in order for allowance.

Interview Summary

The Examiner is thanked for the courtesy of a telephone interview conducted October 20, 2005. The inventors, Jared Waxman and Andy Johnston, and the undersigned attorney

participated in the Interview. The Interview focused on claim 1 and Bogdhan. Claims 10-15 and the prior art cited with respect to those claims were briefly discussed, but it was agreed to cancel those claims without prejudice to their presentation by way of a divisional, as a way of narrowing the issues.

Regarding Bogdhan, the Examiner suggested that the language "movable into engagement" might imply that the structure claimed was merely capable of the claimed operation, and that Bogdhan might be capable of such operation. Mr. Johnston suggested that the operation of Bogdhan by holding Bogdhan element 9 then releasing it and holding it down and releasing it amounted to engaging and disengaging repetitively. The specific details of operation illustrated in Bogdhan Fig. 3 were also discussed and contrasted with the operation illustrated in Figs. 2 and 3 of the present application.

The language of the present amendment was suggested to clarify that when the momentary unidirectional lock of the presently claimed invention engages the reel, rotation in the direction of release is prevented while free reel rotation in a retract direction as slack occurs during engagement is permitted. It was agreed to delete the objected to language "over the full range of rotation of the reel" to overcome the Section 112 rejection.

The Invention of Claims 1-9

As presently amended, claim 1 requires "a momentary unidirectional lock engaging said reel to prevent reel rotation in a release direction while permitting free reel rotation in a retract direction as slack occurs during engagement of the momentary unidirectional lock with said

reel." As seen in the exemplary embodiment of Figs. 2 and 3 of the present application, momentary unidirectional lock 13 comprising lever 30 and hinged ratchet 26 operates as follows. As seen in Fig. 2 illustrating said lock not engaged, spring 24 holds outer end 25 of hinged lever 30 down and consequently inner end 23 up, so that inner end 23 holds hinged ratchet 26 up out of engagement with directional teeth 29 of reel 21. As shown in Fig. 2, the reel 21 freely rotates to release additional leash 12 so long as an animal on the leash pulls the leash with sufficient force to overcome spring 22. Reel 21 also freely rotates to retract the leash if the animal stops or a holder of the leash moves closer to the animal, for example.

When a user squeezes the handle portion of hinged lever 30, the inner end 23 drops down so that ratchet 23 engages a tooth 29. Free clockwise retraction rotation is allowed, but release rotation is blocked. Thus, slack can be taken up as it occurs.

The present amendment claims this operation and is not anticipated by and is not obvious from Bogdahn. When Bogdahn's brake key 9 is engaged, rotation is locked in both directions. See Bogdhan, Fig. 3 and its discussion of this figure, for example. Engaging and disengaging key 9 to try to take up slack is one of the problems found in the prior art which the present invention advantageously addresses.

The Art Rejections

As addressed above and in the Interview, Applicants do not acquiesce in the analysis of the relied upon art made by the final Official Action and respectfully traverse the final Official Action's analysis of that art. However, as urged during the Interview and discussed above,

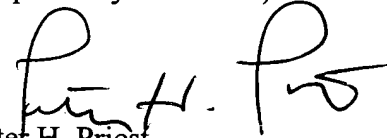
Appl. No. 10/770,926
Amdt. dated October 25, 2005
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claims 1-9 distinguish from the relied upon art and should be allowed. No further search should be occasioned in light of the searches of original claim 1 and the more specific arrangement of allowed claims 16-20.

Conclusion

All of the presently pending claims, as amended, appearing to define over the applied references, withdrawal of the present rejection and prompt allowance are requested.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Peter H. Priest", with a stylized flourish at the end.

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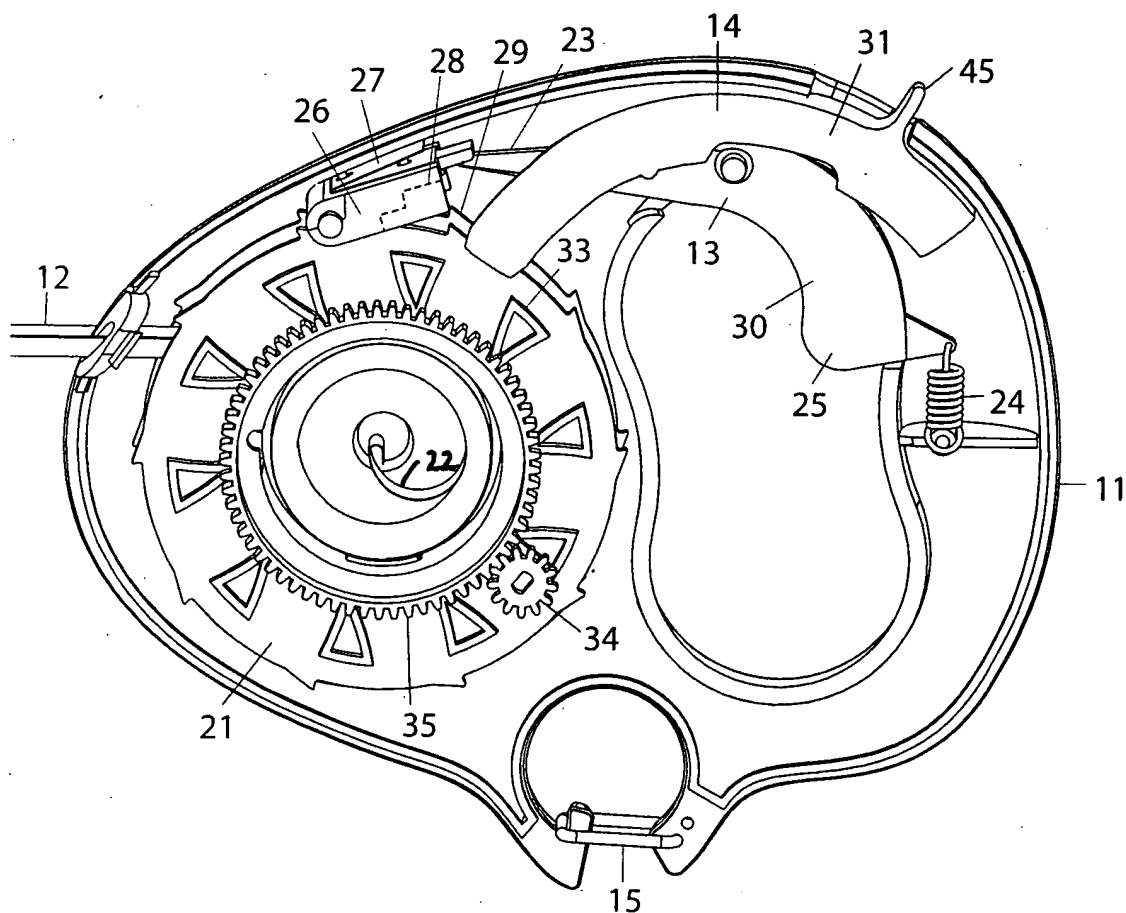


FIG. 2